



IT IS ORDERED as set forth below:

Date: April 17, 2014

**Barbara Ellis-Monro
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:)	
HUDGINS HOLDINGS, LLC,)	CASE NO. 13-74158-bem
)	CHAPTER 11
Debtor.)	
_____)	

**ORDER GRANTING "DEBTOR HUDGINS HOLDINGS, LLC'S MOTION
PURSUANT TO 11 U.S.C. § 363(b), (f), AND (m) FOR ENTRY OF ORDER
APPROVING SALE OF DEBTOR'S 27,000 SQUARE FOOT OFFICE
BUILDING [WESTRIDGE OFFICE BUILDING]" [ECF NO. 44]**

This matter is before the Court on "Debtor Hudgins Holdings, LLC's Motion Pursuant to 11 U.S.C. § 363(b), (f), and (m) for Entry of Order Approving Sale of Debtor's 27,000 Square Foot Office Building [Westridge Office Building] ("Sale Motion") [Doc. No. 44]. By the Sale Motion, Debtor Hudgins Holdings, LLC

("Debtor Hudgins Holdings") seeks the entry of an Order pursuant to 11 U.S.C. § 363(b), (f) and (m) approving Debtor Hudgins Holdings sale of a 27,000 square foot office building located at 125 Westridge Industrial Boulevard, McDonough, Georgia (the "Property"), pursuant to a contract between Debtor Hudgins Holdings, as Seller, and J & P Synergy, LLC, an independent purchaser, as Buyer ("Sale Contract"). A copy of the Sale Contract is attached to the Sale Motion as Exhibit "A". The Sale Motion was amended by "Debtor Hudgins Holdings, LLC's Amendment to Motion for Sale of Westridge Office Building [ECF No. 44]" [ECF No. 53] ("Amendment/Sale Motion"). A copy of an amendment to the Sale Contract is attached as Exhibit "A" to the Amendment/Sale Motion. The Sale Motion recites Debtor Hudgins Holdings is selling the Property outside the ordinary course of Debtor Hudgins Holdings' business pursuant to the Sale Contract.

Counsel for Debtor Hudgins Holdings properly served a true and correct copy of the Sale Motion and the Notice of Hearing on the U.S. Trustee and all creditors listed on Debtor Hudgins Holdings' Creditor Matrix. [ECF No. 47.] A copy of the Amendment/Sale Motion was likewise served on all creditors listed on the Creditor Matrix. [ECF No. 53.] A Limited Objection filed by the Henry County Tax Commissioner [ECF No. 48], and no other objections were filed with the Court on this sale by any party in interest.

This matter came before the Court as noticed on April 16, 2014. Counsel for Debtor called the Court's attention to the Amendment/Sale Motion and the amendment to the Sale Contract which resolve the limited objection filed by the Henry County Tax Commissioner. The Court also heard from all other creditors and parties in interest wishing to be heard on the Sale Motion, including Counsel for secured creditor Heritage Bank which consented to the sale.

After consideration of the Sale Motion, the statements and proffer of Debtor Hudgins Holdings' counsel, and announcements of counsel of all other parties wishing to be heard, the Court finds that the relief requested by the Sale Motion should be granted. Accordingly,

IT IS HEREBY ORDERED AND ADJUDGED:

(1) More than twenty days have lapsed since the filing of Debtor Hudgins Holdings' Chapter 11 Petition on November 6, 2013; thus the prohibitory provisions of Rule 6003 which prevent motions for sale of property during the first twenty days of the pendency of a case absent emergency or other extraordinary reason, do not apply;

(2) Debtor's Motion, as amended, is Granted;

(3) Debtor is authorized to execute all documents necessary to consummate the transaction described in the Sale Contract, as amended; and

(4) The proceeds of sale shall be applied in the manner described in Debtor's Motion, as amended, including satisfying the indebtedness evidenced by the Deed to Secure Debt held by Heritage Bank, paying *ad valorem* taxes due on the property which is the subject of Debtor's Motion, and paying \$10,400.00 to Debtor to be used as United States Trustees Fees resulting from sale.

END OF DOCUMENT

PREPARED AND PRESENTED BY:

By: /s/ Jimmy L. Paul
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Georgia State Bar No. 567600

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